

**Testimony for the House Transportation and Infrastructure Committee
On HB4763 and HB4762, June 4, 2013**

The National Motorists Association thanks the chairman and committee members for the chance to testify.

If House Bills 4763 and 4762 go forward in any form, they will likely have many amendments and changes. For that reason, most of my remarks will be about the basic principles of why Michigan should never have red light cameras or any other form of automated traffic enforcement.

Automated enforcement is currently prohibited in Michigan under a ruling by the Attorney General's office, and the NMA strongly believes automated enforcement should remain prohibited permanently.

1. Despite the stated good intentions, ticket cameras rarely improve safety. Red light cameras often raise the total crash rates at camera intersections, a consequence that should be unacceptable to everyone.
2. Most terrible t-bone crashes and dramatic near-misses that are the basic sales pitch for cameras are due to late entries into the red, at least two and more often five to nine seconds into the red. A high proportion of these drivers are drunk, seriously distracted, medically impaired, fleeing police, or fail to see emergency vehicles, etc. Cameras have very little effect on these drivers, and there are not many of them.
3. Using safer, longer yellow intervals on the lights will almost always reduce violation rates by more than red light cameras achieve. Cameras often take up to a year to reduce straight through violations by about 50%. Adding one second to the yellow intervals usually reduces violations by 60% to 90% in a few days. And contrary to false claims from camera companies, the rates stay down over time. Georgia mandated yellow intervals to be one second longer at camera intersections, violations dropped 70% to 80%, and most cameras were removed because they were no longer necessary and no longer profitable.
4. Red light cameras ticket split-second violations caused by yellow intervals deliberately or inadvertently set too short for the ACTUAL approach speeds of at least 85% of the vehicles. Neither Michigan nor federal MUTCD rules require using the safest yellow intervals, long enough for the actual traffic speeds. Since cities that use red light cameras do so principally for the revenue they want the yellow intervals to be mis-engineered with too-short yellows to increase revenue. Camera companies agree with this strategy.
5. The other primary source of camera tickets for revenue is for right turn on red actions where the driver did not quite stop, or stopped in the wrong place just over a stop line. Federal research shows that right on red actions are involved in only six one-hundredths of one percent of all traffic crashes with injuries or fatalities, and only four tenths of one percent of crashes at signalized intersections. Thus well over 99% of all camera tickets for right on red actions are clearly for revenue, not safety.
6. Red light camera laws commonly reduce or eliminate most legal protections of due process for drivers that challenge tickets. This is true for these bills and is a common feature of most automated ticketing laws. These systems are primarily about collecting revenue at low cost. The bill even has a \$10 fee to challenge a ticket, the first time Michigan citizens would have to pay in advance for first level court access.
7. It would be easy to design a red light camera system that ticketed only unsafe drivers, with yellow intervals legally mandated to be adequately long and a prohibition on ticketing right on red turns with cameras as the law in Tennessee does. But then there would be no red light cameras because they would lose too much money for the camera companies to even be interested in bidding for contracts. Red light cameras are about profits and if profits are not available, virtually no one is interested in using them.
8. Citations are issued to the vehicle owner who is presumed guilty until proven innocent. This is a total reversal of our cherished legal principle of innocent until proven guilty.

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9. Camera citations are mailed well after the incident when even knowing which person was driving may be difficult, and collecting any mitigating evidence from anyone else will be almost impossible. This is a normal feature of automated enforcement laws. Citations are sent by ordinary mail, not certified mail or by personal service, so car owners may never be notified until their license or registration renewal is denied.

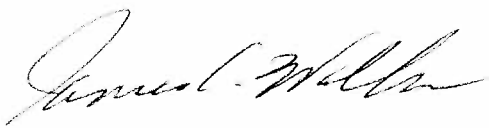
10. Automated enforcement laws normally have no practical way for the ticket recipient to challenge the accuracy, calibration, maintenance, or operation of the equipment. There is usually no right to require a camera company employee to testify under oath in court to these issues. The photo evidence is accepted by the courts, even when possibly defective. This is another normal feature of ticket camera laws to prevent realistic challenges, so the revenue can be collected at the lowest costs.

The National Motorists Association asks the committee to reject this and all future bills to introduce the undemocratic process of automated enforcement to Michigan. Enforcement for profits is always wrong.

Please retain the principle that traffic citations must be issued by officers that witnessed the offense.

Thank you, and I would be happy to take any questions.

Respectfully submitted,



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URL references to many of the points in the text, and other items for further research.

Increased crash rates with cameras: <http://www.motorists.org/red-light-cameras/studies>
<http://www.motorists.org/red-light-cameras/increase-accidents>

Longer yellow interval effects: <http://www.thenewspaper.com/news/27/2720.asp>
<http://www.motorists.org/red-light-cameras/yellow-lights>

Right on red turn safety: <http://www.nhtsa.gov/people/outreach/traftech/1995/tt086.htm>
<http://www.motorists.org/red-light-cameras/right-turn-on-red>

Alternatives to red light cameras: <http://www.motorists.org/red-light-cameras/alternatives>

Other red light camera articles: <http://www.motorists.org/red-light-cameras/articles>